

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/821,426	
	Filing Date	April 9, 2004	
	First Named Inventor	Paul A. Jass et al	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	8	Attorney Docket Number	CC-0312-04

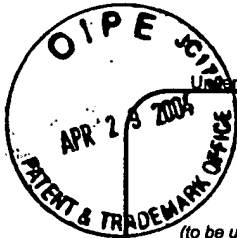
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): copies of 5 patent applications
Remarks Copies of U.S. 5,807,884; 5,262,439; 5,380,747; 6,548,699; and 6,323,359 are included herein		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Richard J. Hammond
Signature	
Date	April 26, 2004

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Richard J. Hammond		
Signature		Date	April 26, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 10/821,426
Applicant : Paul A. Jass et al
Filed : April 9, 2004
Title : PROCESS FOR THE PREPARATION OF
PROBUCOL DERIVATIVES AND
POLYMORPHIC FORMS THEREOF
TC/A.U. :
Examiner :
Docker No. : CC-0312-04

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

Applicant's are filing this Information Disclosure Statement in the above-identified Patent Application to comply with the requirement under 37 C.F.R. 1.56 and 1.97 - 1.99 to make available to the Patent Office prior art that, in the good faith judgement of Applicant's, may be relevant in the examination of the pending patent application.

Discussion of Prior Art and its relevance to the instant patent application begins on page 2 of this paper.

Remarks/Arguments begins on page 4 of this paper.

An **Appendix** which is Form PTO/SB/08A (08-03) is attached.

Discussion of Prior Art

The references are listed in the Appendix, Form PTO/SB/08A. In accordance with 37 C.F.R. 1.98 (c), copies of each are provided, except that copies of the following patents are not being provided since they are cumulative with respect to U.S. Patent . No. 5,807,884:

U.S. 5,811,449; filed 09/22/1998; Medford et al

U.S. 5,846,959; filed 12/08/1998; Medford et al and

U.S. 5,750,351; 05/14/1998; Medford et al.

Similarly, a copy of the following patent is not being provided since it is cumulative with respect to U.S. Patent . No. 5,877,203.

U.S. 5,380,747; filed 01/10/1995; Medford et al.

U.S. Patent No. 5,807,884; filed 09/15/1998; Medford et al

This references teaches certain that dithiocarbamate antioxidants are useful in the treatment of atherosclerosis. Such carbamates have the formula A-SC(S)-B, where the group -SC(S)- appears essential for therapeutic activity. In the above formula A is hydrogen or a pharmaceutically acceptable salt such as "... oxalic acid, tartaric acid, succinic acid ..." , col. 20 and following, and B is "... probucol ..." col. 18, lines 7 and following.

U.S. Patent No. 5,262,439; filed 04/30/1992; Parthasarthy

This reference discloses the preparation of water soluble derivatives of probucol. These derivatives are probucol compounds where at least one phenyl hydroxyl group of the probucol compound is replaced with an ester group having a polar or charged functionality. These ester groups include the dicarboxylic acid esters of the probucol compounds, such as the dicarboxylic acid esters formed from "...succinic acid, glutaric acid, adipic acid, suberic acid, sebacic acid,

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IDS filed April 26, 2004

azelaic acid and maleic acid ...”, col. 5, lines 24 - 27.

U.S. Patent No. 5,380,747; filed 10/30/1992; Medford et al

This references teaches certain that dithiocarbamate antioxidants are useful in the treatment of atherosclerosis. The compounds may be adminisitered with “...probucol”, col. 15 , line 46.

U.S. Patent 6,548,699; filed 08/06/1999; Patricia K. Sommers

Compounds for the inhibition of the expression of VCAM-1 are disclosed. Probucol derivatives are set forth in col. 17, line 15 bridging to col. 21, line 25. Certain probucol derivatives are disclosed where the proton on the at least one of the hydroxyl of the phenyl group are substituted with the the group “... - CH₂-OCO-alkyl, - CH₂-OCO - substituted alkyl, ...”, col. 18, lines 60 - 61. Example 31 and 34 disclose the preparation of 4-[4-[[1-[[3,5-bis(1,1-dimethylethyl)-4-hydroxyphenyl]thio]-1-methylethyl]thio]-2,6-bis(1,1-dimethylethyl)phenoxy acetic acid and butanoic acid respectively.

U.S. Patent 6,323,359; filed 05/02/2000; Paul A. Jass

The preparation of water soluble derivatives of probucol compounds is disclosed. At least one of the phenyl hydroxyl groups on the probucol derivative is first replaced with alkali metal or ammonium forming a probucol salt. The salt is then reacted with a dicarboxylic acid such as .succinic acid, glutaric acid, adipic acid, suberic acid, sebacic acid, azelaic acid or maleic acid . The desired product is readily separated from the reaction mixture. See col. 3, line1 to col. 4, line 44.

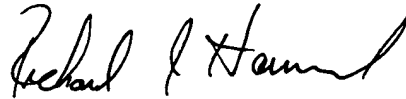
Attachment: PTO/SB/08A (08/03)

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Remarks/Arguments:

As required by 37 C.F.R. 1.98, a concise explanation of why the prior art is being submitted and its relevance to the instant patent application has been presented. This explanation is not represented as or intended to a comprehensive summary.

Respectively submitted

A handwritten signature in black ink, appearing to read "Richard J. Hammond". The signature is fluid and cursive, with the first and last names being more prominent.

Richard J. Hammond

Reg. No. 26,903

Tel. No. 225-769-2732

Attachments

Appl. No. 10/821,426
IDS filed April 26, 2004

APPENDIX



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 1

Complete if Known

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Examiner Name	
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U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5807884	09/15/1998	Medford et al	col.; 18 - col. 20
		US- 5811449	09/22/1998	Medford et al	cumulative
		US- 5846959	12/08/1998	Medford et al	cumulative
		US- 5750351	05/14/1998	Medford et al	cumulative
		US- 5262439	11/16/1993	Parthasaratay et al	col. 4, lines 20-27
		US- 5773209	06/30/1998	Medford et al	cumulative
		US- 5380747	01/10/1995	Medford et al	col. 15, line 46
		US- 5877203	03/02/1999	Medford et al	cumulative
		US- 6548699	08/06/1999	Sommers	col. 17 - col. 18
		US- 6323359	11/27/2001	Jass	col. 3 - col. 4
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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